

**UNITED STATES DISTRICT COURT**

## EASTERN DISTRICT OF TEXAS

MICHAEL JERRIAL IBENYENWA,

Plaintiff,

*versus*

JERRY WILSON, *et al.*,

Defendants.



CIVIL ACTION NO. 9:21-CV-106

**MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Michael Jerrial Ibenyenwa, an inmate confined within the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed the above-styled civil rights lawsuit. The court previously referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to 28 U.S.C. § 636 and orders of this court.

The defendants filed a motion asking the court to revoke plaintiff's *in forma pauperis* status pursuant to 28 U.S.C. § 1915(g). The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge in which he recommends the motion be denied.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. After careful consideration, the court is of the opinion the objections are without merit. As the magistrate judge recommended a ruling in plaintiff's favor, it is not clear why plaintiff filed objections. Nevertheless, the court agrees with the analysis of the magistrate judge.

**ORDER**

Accordingly, the objections filed by plaintiff (#26) are **OVERRULED**. The findings of fact and conclusions of law set forth in the report of the magistrate judge (#24) are correct, and the report of the magistrate judge is **ADOPTED**. The motion filed by the defendants (#14) is **DENIED**.

SIGNED at Beaumont, Texas, this 26th day of June, 2023.

A handwritten signature in cursive script, reading "Marcia A. Crone".

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE